

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Definition of Radio Markets for ) MB Docket No. 03-130  
Areas Not Located in an Arbitron )  
Survey Area )

ORDER

Adopted: August 11, 2003

Released: August 12, 2003

By the Chief, Media Bureau:

1. On July 2, 2003, the Commission released its *Notice of Proposed Rule Making* (“*Notice*”) in the above-captioned proceeding, in conjunction with its *Report and Order* completing its third biennial review of its broadcast ownership rules.<sup>1</sup> The current deadlines to file comments and reply comments in this proceeding are September 4, 2003 and September 19, 2003, respectively.

2. In the *Report and Order*, the Commission replaced its current contour-overlap methodology for defining radio markets with a geographic market approach in areas where such markets have been defined by Arbitron. These “Metro” markets are used to determine compliance with the local radio ownership rule. The Commission also initiated this proceeding to define radio markets for areas not covered by Metro markets. Until a new definition is developed, the Commission will continue to use a contour-overlap methodology in non-Metro markets. The goal of the proceeding is to generate a map or a list of markets for radio stations across the entire country.

3. The National Association of Broadcasters (“NAB”) and Saga Communications, Inc. (collectively, “Petitioners”) filed a joint motion asking the Commission to extend the comment and reply comment deadlines to October 20, 2003 and November 19, 2003, respectively.<sup>2</sup> Petitioners assert that they need additional time to assess the impact of the options suggested by the Commission as well as to attempt to develop a market definition specific to radio. NAB has contracted with a consultant to study the Commission’s options as well as others and requests additional time to accumulate and review the data. Petitioners also argue that additional time is needed for NAB’s radio task force and Radio Board to act, and for staff to prepare comments reflecting the Board’s decisions.<sup>3</sup>

4. We believe that the public interest would be best served by granting a brief extension of comment and reply comment filing deadlines so that commenters may assemble data and conduct studies

<sup>1</sup> *In the Matter of 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Cross-Ownership of Broadcast Stations and Newspapers, Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets, Definition of Radio Markets, and Definition of Radio Markets for Areas Not Located in An Arbitron Survey Area*, FCC 03-127, released July 2, 2003 (“*Report and Order and Notice of Proposed Rulemaking*”).

<sup>2</sup> Joint Motion for extension of Comment and Reply Comment Deadlines (“*Motion*”), filed by National Association of Broadcasters (“NAB”) and Saga Communications, Inc., August 8, 2003.

<sup>3</sup> *Motion* at 2-4.

that will inform our decision in this proceeding. At the same time, however, we recognize the importance of completing this proceeding in a timely fashion. Adopting a permanent definition of radio markets outside Metro areas will provide parties with long-term certainty as to the radio market definition and allow them to plan transactions accordingly. Accordingly, we will grant only a thirty-day extension. The new deadline for comments is October 6, 2003. The new deadline for replies is October 21, 2003.

5. Accordingly, IT IS ORDERED that Petitioners' Joint Motion for Extension of Comment and Reply Comment Deadlines in the above-captioned proceeding IS GRANTED in part, as discussed in this Order, and otherwise IS DENIED.

6. IT IS FURTHER ORDERED that the deadline for filing comments in this proceeding IS EXTENDED to October 6, 2003.

7. IT IS FURTHER ORDERED that the deadline for filing reply comments in this proceeding IS EXTENDED to October 21, 2003.

FEDERAL COMMUNICATIONS COMMISSION

W. Kenneth Ferree  
Chief, Media Bureau